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Attorneys For Defendant
Christopher Chan

In the United States District Court

for the District of Hawaii

United States of America,)	Cr. No. 1:22-cr-00109-DKW
)	
Plaintiff,)	Defendant's Motion for Leave to File
)	Motion to Dismiss Under the Second
vs.)	Amendment or the Commerce Clause;
)	Declaration of Counsel; Exhibit A;
Christopher Chan,)	Certificate of Service
)	
Defendant.)	
)	
)	

**Defendant's Motion for Leave to File Motion to Dismiss Under the
Second Amendment or the Commerce Clause**

Defendant Christopher Chan, by and through undersigned counsel, moves this Court for leave to file a motion to dismiss Counts 1 and 2 of the Second Superseding Indictment (ECF No. 72) because Counts 1 and 2 violate the Second Amendment and Count 2 violates the Commerce Clause. The proposed dismissal motion is attached as Exhibit A.

This motion for leave to file a motion to dismiss Count 1 is based upon Federal Rules of Criminal Procedure 12(b)(2) and 12(b)(3) and the attached Declaration of Counsel.

DATED: Honolulu, Hawaii, July 15, 2024.

/s/ Craig W. Jerome
Craig W. Jerome
Counsel for Defendant
Christopher Chan

In the United States District Court, for the District of Hawaii,
United States v. Chan, Cr. No. 22-00109 DKW; Defendant's
Defendant's Motion for Leave to File Motion to Dismiss Under the Second Amendment or the
Commerce Clause

Certificate of Service

I, Craig W. Jerome, hereby certify that on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Sara D. Ayabe
Rebecca A. Perlmutter
Assistant United States Attorneys
300 Ala Moana Boulevard, Room 6100
Honolulu, Hawaii 96850

(Served via CM/ECF)

DATED: Honolulu, Hawaii, July 15, 2024.

/s/ Craig W. Jerome
Craig W. Jerome
Counsel for Defendant
Christopher Chan